NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9018 of 2018

1. Nandkumar Yadav S/o Ram Charan Yadav Aged About 38 Years R/o Village Medhapali, P. S. Dabhra, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

2. Anirudhra Dhildo S/o Jageshwar Dhildo Aged About 37 Years R/o Village Saraskela, P. S. Dabhra, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

3. Manoj Kumar Sarthi S/o Nujram Sarthi Aged About 34 Years R/o Village Sapoosh, P. S. Dabhra, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- **Applicants**

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Dabhra, District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh.

---- **Respondent**

For the Applicants	:	Shri Kamal Kishore Patel, Advocate
For the State	:	Shri A.K. Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

04/01/2019

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.359/2018 registered at Police Station Dabhra, District Janjgir-champa (C.G.) for the offence punishable under Section 399, 402 read with Section 34 of IPC and under Section 25, 27 of Arms Act.
3. Case of the prosecution, in brief is that an information was received by out post Faguram that near the village Sapiya 5-6 persons have assembled for causing robbery. Police party reached the spot and caught hold the applicants, co-accused Rakesh Bhardwaj, Pankaj Rai and Suklal. Applicant Nand Kumar, Anirudhra had iron rod and applicant Manoj Kumar has one club. Co-accused Suklal was found along with one pistol and three round cartridges.
4. Learned counsel for the applicants submits that they had innocent and falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.

6. As per the web copy of the order dated 26/10/2018 passed by the co-ordinate Bench of this Court in MCRC No. 7005/2018 co-accused Pankaj Rai has been released on bail. The case of present applicants is not severer than the co-accused Pankaj Rai. Thus it is ordered that if the applicants furnishes one solvent surety for a sum of Rs. 25,000/- each along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that they shall appear before the trial Court at 11.00 am as and when directed till trial and they would cooperate during the trial, they shall be released on bail.

7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde